

REMARKS

Claims 22-36 are now pending. Applicant has added claims 22-36 and cancelled claims 1-21.

Applicant would like to thank the Examiner for his consideration during the telephone interview of November 2, 2004. During that interview, applicant's representative and the Examiner discussed the differences between Estrada and claim 6. The Examiner indicated that he believed the steps that are prefaced with the phrases "if the needed media element is located" and "if the needed media element is not located" did not make the timing of the steps clear. Although applicant disagrees, applicant proposed a new claim 6 to address the Examiner's concerns. New claim 22 corresponds to the proposed claim 6.

The Examiner rejected now cancelled claim 6 under 35 U.S.C. § 103(a) as being unpatentable over Estrada. The Examiner relied upon Estrada at 21:35-22:4 in rejecting claim 6. This section of Estrada describes a way in which the aesthetic features of a web document are specified. A user creates a document that inherits aesthetic parameters for color, image, and font type. After the user enters text for the document and selects "save," a graphics server generates an image from the parameters and text, stores the parameters (and presumably the text) in a database, and stores the image in a cache. When the graphics server receives a request for the image (identified by a URL), the graphics server serves the image from the cache if it is still in the cache. If not in the cache, the graphics server regenerates the image using the parameters and text stored in the database and serves the regenerated image.

The Examiner suggests that Estrada's "parameters and text" corresponds to the claimed "spec" and Estrada's "image" corresponds to the claimed "media element." Assuming this correspondence, Estrada does not create parameters and text when the image is not found in the cache. Rather, when the image is not found in the cache, Estrada retrieves the already-created parameters and text and creates the image. The

only time Estrada creates parameters and text is when the image is being defined initially and this creation is unrelated to whether or not the image is later found to be in the cache.

New claims 22-36 make it particularly clear that certain steps are taken on the condition that the media element (or image) is located, or on the condition that the media element (or image) is not located. For example, claim 22 recites "when the writer does not locate a desired media element based on review of the existing specs, creating a spec describing the desired media element as indicated by the writer and storing the created spec in association with the web page." This language makes it clear that the creating and storing occur "when" the media element is not located. Estrada does not teach or suggest taking the recited step when this condition occurs.

Based upon these remarks and amendments, applicant respectfully requests reconsideration of this application and its early allowance. If the Examiner has any questions or believes a telephone conference would expedite prosecution of this application, the Examiner is encouraged to call the undersigned at (206) 359-8548.

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Respectfully submitted,

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